

in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor, and did not bear a label containing an accurate statement of the quantity of the contents; in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient.

One lot labeled "Chocolate Malted Balls" was alleged to be misbranded in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor and did not bear an accurate statement of the quantity of the contents.

One lot labeled in part "Evangeline Chocolate Cordial Cherries" was alleged to be misbranded in that the statement "1 Pound Net" was false and misleading since it was incorrect; in that it was in package form and failed to bear an accurate statement of the quantity of the contents; in that its container was so made, formed, or filled as to be misleading; and in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient.

One lot labeled "Mayflower Chocolate Covered Cherries" was alleged to be misbranded in that the statement "Net Weight One Pound" was false and misleading since it was incorrect; in that it was in package form and failed to bear an accurate statement of the quantity of the contents; and in that its container was so made, formed, or filled as to be misleading.

One lot labeled "Kenwyn Chocolate Coated Cherries" was alleged to be misbranded in that it was fabricated from two or more ingredients and the label failed to bear the common or usual name of each ingredient.

One lot labeled in part "Priscilla Chocolate Cordial Cherries" was alleged to be misbranded in that its container was so made, formed, or filled as to be misleading.

Portions of the product were alleged to be misbranded further for the following reasons: (Evangeline, Kenwyn, and Mayflower brands) The name and place of business of the manufacturer, packer, or distributor; (Evangeline and Kenwyn brands) the declaration of artificial flavoring and coloring and chemical preservative; and (Mayflower brand) the statement of the quantity of contents, all of which statements are required by the act to appear on the label, were not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render them likely to be read by the ordinary individual under customary conditions of purchase and use.

On February 6, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1862. Adulteration of candy. U. S. v. 19, 46, 8, and 13 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 3521. Sample Nos. 40086-E, 40087-E, 40089-E, 40091-E.)

This product contained rodent hairs and a portion also contained insect fragments.

On December 14, 1940, the United States attorney for the District of New Jersey filed a libel against 86 boxes of candy at Trenton, N. J., alleging that the article had been shipped in interstate commerce within the period from on or about September 9 to on or about October 9, 1940, by the Heidelberger Confectionery Co., Inc., from Philadelphia, Pa.; and charging that it was adulterated. The article was labeled variously: "Big Six Chocolate Assortment," "Chocolate Peppermints," "Chocolate Bermudas," or "Sunnies."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On February 28, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1863. Adulteration of candy. U. S. v. 316 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 3442. Sample No. 20980-E.)

This product contained insect fragments and rodent hairs.

On November 29, 1940, the United States attorney for the Western District of Virginia filed a libel against 316 boxes of candy at South Boston, Va., alleging that the article had been shipped in interstate commerce on or about November 11, 1940, by the Hodges Candy Co. from Milledgeville, Ga.; and charging that it was

adulterated. The article was labeled in part: "30—5¢ Variety Bars," or "30—5¢ Variety Advertiser."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On February 26, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1864. Adulteration and misbranding of candy. U. S. v. 17 and 4 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 3245. Sample Nos. 39440-E, 39441-E.)

This product contained rodent hairs and insect fragments. Its weight was approximately 85 percent in excess of that declared.

On October 21, 1940, the United States attorney for the Eastern District of Arkansas filed a libel against 21 boxes of candy at Marvell, Ark., alleging that the article had been shipped in interstate commerce on or about September 4, 1940, by the Independent Candy Co. from Memphis, Tenn.; and charging that it was adulterated and misbranded. The article was labeled in part: "Big Joe Peppermint [or "Peanut Butter"] Stick."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance or was otherwise unfit for food; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

It was alleged to be misbranded in that the statement "Net Wt. 2½ Ozs. or Over," borne on the labels, was false and misleading since the variations above the stated minimum were unreasonable; and in that it was in package form and did not bear an accurate statement of the quantity of the contents.

On March 12, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1865. Adulteration of candy. U. S. v. 11 Cartons and 27 Cartons of Josselyn's Milkmarks. Default decrees of condemnation and destruction. (F. D. C. Nos. 3790, 3791. Sample Nos. 28246-E, 28247-E.)

Examination showed that this product was contaminated with rodent hairs.

On February 7, 1941, the United States attorney for the District of Columbia filed a libel against 38 cartons of candy at Washington, D. C., alleging that the article had been shipped by Josselyn's from Baltimore, Md., on or about January 15 and 16, 1941; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. It was labeled in part: "Milkmarks Josselyn's" or "Josselyn's Milkmarks * * * Coconut Macaroons Chocolate Covered."

On March 4, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

1866. Adulteration of candy. U. S. v. 5 and 10 Cans of Candy. Default decree of condemnation and destruction. (F. D. C. No. 3651. Sample No. 50707-E.)

Examination showed that this product was contaminated with rodent hairs.

On January 13, 1941, the United States attorney for the Eastern District of Virginia filed a libel against 5 cans each containing 40 pounds, and 10 cans each containing 20 pounds of candy at Parksley, Va., alleging that the article had been shipped in interstate commerce on or about December 18, 1940, by the Wm. T. Kearney Co. from Baltimore, Md.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "High Lustre Confections Sunshine Kisses."

On February 7, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1867. Adulteration of candy. U. S. v. 25 Boxes of Candy (and 2 other seizure actions against candy). Default decrees of condemnation and destruction. (F. D. C. Nos. 3907, 3908, 3931. Sample Nos. 29272-E, 29274-E, 29278-E.)

This product contained rodent hairs.

On March 3 and 6, 1941, the United States attorney for the Southern District of Ohio filed libels against a total of 188 boxes of candy at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce within the